

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN  
GREEN BAY DIVISION**

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**ELAINE L. CHAO**, Secretary of Labor,  
United States Department of Labor,

Plaintiff,

CIVIL ACTION

v.

**HIRSCHY, INC. d/b/a GERMANIA HALL;  
CHRISTOPHER FIEDLER; and the  
HIRSCHY, INC. SIMPLE IRA PLAN;**  
Defendants.

File No. 05-C-167

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**DEFAULT JUDGMENT AS TO DEFENDANTS  
HIRSCHY, INC. d/b/a GERMANIA HALL and CHRISTOPHER FIEDLER**

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Plaintiff Elaine L. Chao, Secretary of Labor, United States Department of Labor, ("Secretary") in the above-styled action, having filed her complaint; Defendants The Christopher Fiedler and Hirschy, Inc. d/b/a Germania Hall ("Defendants"), having been duly served with a copy of the complaint and summons; Defendants having failed to plead or otherwise defend within the time prescribed by law; default of Defendants having been duly entered by the Clerk of this Court; and the truth of the allegations contained in the Secretary's complaint having been verified by the declaration of the Secretary's Investigator; now, therefore upon application of the Secretary and for cause shown,

**JUDGMENT IS HEREBY ENTERED** against Defendants Hirschy, Inc. d/b/a Germania Hall and Christopher Fiedler, in accordance with the prayer of the complaint. The Plan was named as a defendant pursuant to Rule 19(a) of the Federal Rules of Civil Procedure solely to assure that complete relief could be granted.

It is, therefore, **ORDERED, ADJUDGED, AND DECREED** that:

A. Defendants are jointly liable and shall restore to the Plan, within ten (10) days of service of this default judgment upon Defendants, a total of \$9,746.52 in unremitted employee voluntary salary contributions for the period from October 1, 2000 through December 31, 2002, and \$1,651.62 in interest on that amount. This amount also includes \$134.32 in interest computed for contributions which were remitted in an untimely manner from November 1, 1999 through September 30, 2000.

B. Within thirty (30) days after service by the U.S. Marshall of this default judgment, Defendants shall provide documentation to Ken Bazar, Regional Director, Employee Benefits Security Administration, Chicago Regional Office, located at 200 West Adams, Suite 1600 in Chicago, IL 60606, demonstrating that \$9,746.52 has been forwarded to the Plan and reallocated among the Plan participants, in accordance with this default judgment.

C. Ordering that the Defendants are permanently enjoined from violating the provisions of Title I of ERISA;

D. Ordering that the U.S. Marshall shall hereby serve a copy of this default judgment upon Defendants Christopher Fiedler and Hirschy, Inc. d/b/a Germania Hall;

E. Ordering that the Secretary is awarded the costs of this action.

Dated this 28th Day of September, 2005.

s/ William C. Griesbach  
**HONORABLE WILLIAM C. GRIESBACH**  
**UNITED STATES DISTRICT JUDGE**